



Case: 9:05cv1097

TO: Thomas J. Mcavoy, U.S. District Judge

Amended Complaint

My complaint is how the Department of Correctional Services who is Commissioner Glenn S. Moord. who allow all high ranks to allowed Sergeants, Officers and Civilians to disrespect the Departmental Directive.

The Civil Services law section 75 Departmental Directive and policies New York Codes, Rules, And Regulations And employees Rules manual 25:1 Correction. Law section 45.9 and 70 "2b".

What officer J. Isaacs did was <sup>Abuse</sup> ~~misconduct~~ of Authority, Harassment, Assault Misconduct, Utilizing disciplinary measures for his own purposes and Failure and/or neglect in the performance of his duties.

Wherein it cost me my chances of going home to my family, The Misconduct and the retaliation and revenge Cruel and unusual punishment clause is applicable to such systems of prison discipline as solitary Confinement or Corporal punishment. Court will find Eighth Amendment Violation in the prison context only when the alleged deprivation is objectively, Sufficiently serious, Attack by a guard is cruel and unusual. It does not fit the rules of the Departmental Directive and policies New York Codes, Rules and Regulation.

When officer J. Isaacs charge me with Assault on Staff, Interference with Employee and Refusing Direct Order I ask myself how could I Mr. Hamble Assault officer when officer is bring the prisoner his breakfast, Again I ask myself how could I Mr. Hamble Interference with Employee when the prisoner is lock in his cell. Direct Order, How could I refuse a direct Order when there was no Direct Order giving. That means that officer J. Isaacs fabricated a lie, In accordance with Department of Correctional Services No<sup>#</sup> 2110 & 2112 Article 9 section 4 of the Agreement between the State of New York and Prisoner 82 that this ... it be ... in accordance with these and

Whatever Directive, Statutes, Rules and Regulations that the ~~above~~<sup>above</sup> request is governed  
I feel that Commissioner Glenn S. Good and the Department of Correctional  
Services should stand up and stop covering for staff members and civilians  
who want to abuse there Authority knowing the Departmental Directive and  
policies are not allowing such behavior.

And what officer J. Isaacs done was fabricated a lie. I really feel that officer  
J. Isaacs need to be punish for the Violation and Misconduct and the performance  
of his duties

Sworn to before me this  
13 Day of September 2005

Mr. Kevin Gambel  
Petitioner (Pro Se)

Notary Public

Anthony J. Carozzoni  
New York State Notary Public  
Chemung County 01CA6062561  
Commission Expires August 13, 2009

OFFICE OF THE CLERK  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

LAWRENCE K. BAERMAN  
CLERK

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Date: September 27, 2005

To: Kevin Gamble

Case Number:

The enclosed papers are being returned to you for one or more of the following reasons checked below. Please read this list carefully to correct the mistakes in your papers. After you correct your papers, you may return them to this office for processing **TOGETHER WITH THIS LETTER.**

- ☐ The court is unable to consider your request unless you have a case pending before it. The clerk's office will send you forms and instructions for filing an action if you wish.
- ☒ **The clerk's office is unable to determine in which of your cases to file this document. Please indicate the correct case number on the document and re-submit.**
- ☐ You did not include an **Application to Proceed In Forma Pauperis** or the filing fee of \$250.00 for civil complaints, or \$5.00 for petitions for a writ of habeas corpus. See Local Rules 5.2 and 5.4, and 28 U.S.C. 1915.
- ☐ An unsigned copy of the proposed amended pleading must be attached to a motion brought under Rules 14, 15 and 19-22 of the Federal Rules of Civil Procedure. See Local Rule 7.1(a)(4).
- ☐ Discovery materials are not filed with the clerk unless specifically directed by the court, or when submitted in support of a motion filed pursuant to Rule 37 of the Federal Rules of Civil Procedure. See Local Rule 26.2.
- ☐ Papers cannot be filed without some indication that they have been served on your opponent(s) or their attorney(s). See Local Rule 5.1(a). This office **will not** forward copies of your papers to your defendants or their counsel.
- ☐ The clerk has been directed to return this document without filing by order of the court, filed \_\_\_\_\_.

Very truly yours,

LAWRENCE K. BAERMAN, CLERK

By: , Paralegal

w/attachment  
cc: